

### REMARKS

Applicants have studied the Office Action of September 30, 2004 ("Office Action"). It is respectfully submitted that, upon entry of the present Amendment, the application is in condition for allowance. Claims 105, 114 and 115 are pending in the present application; claims 1-104, 106-113 and 116-123 having been canceled, without prejudice. Claims 113-115 were objected to in the Office Action solely for depending upon rejected claims, for which Applicants thank Examiner. Claims 86-112 and 116-123 were rejected. No new matter has been introduced by the present Amendment.

The Specification has been amended to update Applicants' priority claim to PCT applications, and to otherwise accurately reflect the priority claim of the instant application.

Claim 105 has been amended to incorporate the features of claims 106 and 113; the latter having been objected to in the Office Action solely for depending upon rejected claims. Claims 114 and 115 have been amended to adjust their dependency in light of the amendment to claim 105 and the cancellation of claim 113.

In the Office Action, Examiner rejected claims 86-112 and 116-123 under 35 U.S.C. § 112, first paragraph, for lacking enablement. Specifically, Examiner found that *"the specification, while being enabling for treatment of SIBO in irritable bowel syndrome patients with a predigested nutritional formula VIVONEX® alone, does not reasonably provide enablement for treatment of SIBO or other SIBO caused conditions by deprivation of all/some nutrients or single nutrient nor of combination therapies with enzymes, absorption alterations, or any other therapies."*

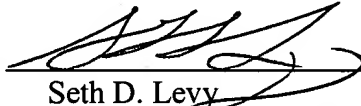
Applicants respectfully disagree with Examiner's position and respectfully traverse the rejection. However, Applicants have, by virtue of the present Amendment, canceled claims directed to features of their invention other than VIVONEX®-based treatment in order to bring the claims of the instant application into condition for allowance. Applicants reserve the right to pursue the claims directed to alternate embodiments of their invention in one or more related applications.

Applicants believe that the present amendment and foregoing remarks place the application in condition for allowance. A favorable action is respectfully requested. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

Date: December 16, 2004

By: \_\_\_\_\_

  
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